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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

C. Whaley, et al.

U.S. Application No.: 10/540,971

Filed: June 27, 2005

International Application No.: PCT/US04/00363 I.A. Filing Date: January 9, 2004

For: GENE ENCODING RESISTANCE TO ACETOLACTATE SYNTHASE-
INHIBITING HERBICIDES

Commissioner for Patents and Trademarks

P.O. Box 1450

Alexandria, Virginia 22313

SUBMISSION OF MISSING REQUIREMENTS TO COMPLETE APPLICATION

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed October 21, 2005, submitted herewith is an executed Declaration and Power of Attorney, in compliance with 37 CFR 1.497(a) and (b).

Copy of the Notice of Missing Requirements;

Please charge the attorney's deposit account 50-2041 if any deficiencies are noted.

Respectfully submitted,



Ruth Tyler-Cross
Reg. No. 45,922

Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190
703-787-9400
Customer Number: 30743

IAP10 Rec'd PCT/PTO 19 DEC 2005

DEC 19 2005

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
01640393AA

In Re Application of: C. Whaley, et al.

Application No. 10/540,971	Filing Date June 27, 2005	Examiner Unassigned	Customer No. 30743	Group Art Unit Unassigned	Confirmation No. 1040
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Title: GENE ENCODING RESISTANCE TO ACETOLACTATE SYNTHASE-INHIBITING HERBICEDES

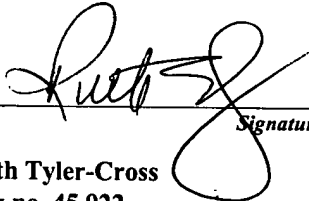
COMMISSIONER FOR PATENTS:

Transmitted herewith is:

SUBMISSION OF MISSING REQUIREMENTS; COPY SUBMISSION OF MISSING REQUIREMENTS;
DECLARATION AND POWER OF ATTORNEY

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-2041 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: December 19, 2005

Ruth Tyler-Cross
Reg no. 45,922
Whitham, Curtis & Christofferson, PC
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190
703-787-9400

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

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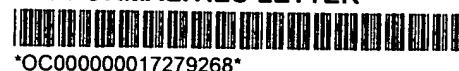


U.S. APPLICATION NUMBER NO. 10/540,971	FIRST NAMED APPLICANT Cory Whaley	ATTY. DOCKET NO. 01640393AA
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30743
WHITHAM, CURTIS & CHRISTOFFERSON, P.C.
11491 SUNSET HILLS ROAD
SUITE 340
RESTON, VA 20190

INTERNATIONAL APPLICATION NO. PCT/US04/00363	
I.A. FILING DATE 01/09/2004	PRIORITY DATE 01/09/2003

CONFIRMATION NO. 1040
371 FORMALITIES LETTER

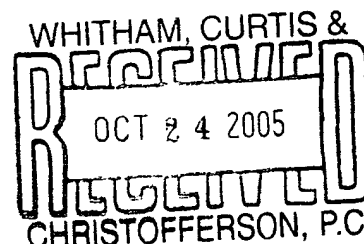


Date Mailed: 10/21/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/27/2005
- Copy of the International Search Report filed on 06/27/2005
- Information Disclosure Statements filed on 06/27/2005
- Biochemical Sequence Diskette filed on 06/27/2005
- Oath or Declaration filed on 06/27/2005
- Biochemical Sequence Listing filed on 06/27/2005
- Small Entity Statement filed on 06/27/2005
- Request for Immediate Examination filed on 06/27/2005
- U.S. Basic National Fees filed on 06/27/2005
- Priority Documents filed on 06/27/2005
- Specification filed on 06/27/2005
- Claims filed on 06/27/2005
- Abstracts filed on 06/27/2005
- Drawings filed on 06/27/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE

DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,971	PCT/US04/00363	01640393AA

FORM PCT/DO/EO/905 (371 Formalities Notice)